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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,588	03/25/2004	Hiroyuki Arai	16359-007001 / 722/SM/toh	4604
26171 7590 03/09/2007 FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER CHOW, YUK	
			ART UNIT	PAPER NUMBER
			2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/808,588	Applicant(s) ARAI ET AL.	
	Examiner Yuk C. Chow	Art Unit 2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>May. 18, 2006; Nov. 9, 2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. Figure 7A, 7B, 8A, 8B, 8C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 1, 2 and 3 contain the subject matter "**a selecting unit for selecting the first controlling unit and/or second controlling unit**", which was not described in the specification in such a way as to enable one skilled in the art how to make or use such device.

For the purpose of examining the merits of claims 1, 2 and 3, the claimed terminology has been interpreted as mean of switching device to first controlling unit and/or second controlling unit in light of prior art.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoekstra (US Patent 6,005,538).

As to claim 1, Hoekstra discloses a driving circuit (Fig. 3) for a vacuum fluorescent display having a filament (Fig. 3(26)), a grid electrode (Fig. 3(24)) and a segment electrode (Fig. 3(20a-g)), comprising: a grid driving unit (Fig. 3(46)) for pulse-driving the grid electrode; a segment driving unit (Fig. 3(42)) for pulse-driving the segment electrode; a first controlling unit for rendering adjustable the duty ratio of the output of the grid driving unit (col. 5 line 61 – col. 6 line 18); a second controlling unit for rendering adjustable the duty ratio of the output of the segment driving unit (col. 3 line 40 – col. 4 line 32); and a selecting unit (Fig 3(46)) for selecting the first controlling unit and/or the second controlling unit.

As to claim 2, Hoekstra teaches a driving circuit for a vacuum fluorescent display according to claim 1, wherein the driving circuit receives data from exterior (Fig. 7(48)) for selecting the first controlling unit and/or the second controlling unit, and wherein the

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selecting unit (Fig. 3(46)) selects the first controlling unit and/or the second controlling unit based on the externally received data (col. 5 line 61- col.6 line 59).

As to claim 3, Hoekstra teaches a driving circuit for a vacuum fluorescent display according to claim 1, wherein the selecting unit (Fig. 3(46)) sets the output of the grid driving unit to a given duty ratio when the first controlling unit is not selected, and wherein the selecting unit sets the output of the segment driving unit to a given duty ratio when the second controlling unit is not selected (see col. 3 line 40 – col. 4 line 51).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoekstra (US Patent 6,005,538) in view of Bozzer et al. (US Patent 5,155,413).

As to claims 4 -7, Hoekstra teaches a driving circuit (Fig. 3(40)) for a vacuum fluorescent display in claim 1 above.

However, Hoekstra differs from the claimed invention in that driving circuit is not taught to necessarily be “a semiconductor integrated circuit”.

Bozzer teaches an integrated circuit (Fig. 1(Driver Microcomputer)) having a filament driving unit (Fig. 2) with a switching device (Fig. 1(Host Microcomputer)) for generating a voltage for a pulse-driving the filament.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate a switching device of Bozzer and filament driving unit of Hoekstra into a single semiconductor integrated circuit, in order to reduce the package and power consumption.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuk C. Chow whose telephone number is 571 270-1544. The examiner can normally be reached on 8-6 M-TH E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571 270-1550. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YCC


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER